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September 2, 2021

By ECF

The Honorable Lewis A. Kaplan
United States Magistrate Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Daniel Kleeberg et al. v. Lester Eber et al.*, 1:16-cv-09517-LAK-KHP
Withdrawal of Motion

Dear Judge Kaplan,

On behalf of Plaintiffs in the above-named matter, I write to respectfully withdraw the Motion to Compel Supplemental Discovery Responses that was filed yesterday, September 1, 2021.

This withdrawal is without waiving my clients' right to seek the recovery of expenses under Rule 37(a)(5)(A) at a later date, when there is not an impending trial.

We thank the Court for its attention to this matter.

Respectfully submitted,



Brian C. Brook

cc: All counsel of record